The Orders for Swannes, both by the Statutes and by the ancient Orders and Customes vsed within the Realme of England.

SOC. ANTIQUA. LOND.

FIrst, ye shall enquire if there be any person that doth possesse any Swan. and hath not compounded with the Kings Maiesty for his marke: that is to say. vi.s. viij. d. for his Marke during his life: If you know any such, you shall present them, that all such Swans and Cignets may be seized for the King.

2 Also you shall enquire if any person doth possesse any Swan or Cignet, that may not dispend the clere yearly value of fiue markes of Free-hold, except heyre apparant to the crowne: then you shal present him. 22. Edw. 4.

3 Also if any person or persons doe driue away any Swan or Swans, breeding or proniding to breed, be it vpon his own ground or any other mans ground, he or they so offending shall suffer one yeares imprisonment and fine at the Kings pleasure, xiij.s.iiij.d. 11. H. 7.

4 If there be found any Weares vpon the Riuers, not hauing any Crates vpon them, it is lawfull for euery owner, swan-masters or swan-heards, to pull vp or cut downe the Birth net or gyn of the said Weare or Weares.

5 If any person or persons be found carrying any Swan-hooke, and the same person being no Swan-heard, nor accompanied with two Swan-heards: euery such person shall pay to the King xiij.s.iiij.d. that is to say, iij.s.iiij.d. to him that will informe, and the rest to the King.

6 The ancient custome of this Realme hath and doth allow to euery owner of such ground where any such Swan shall heiry, to take one land bird, and for the same the Kings Maiesty must haue of him that hath the land bird vj.d. be it vpon his owne ground or any other.

7 It is ordeyned, that if any person or persons do conuey away, or steale away the egge or egges of any Swans, and the same being duly proued by two sufficient witnesses, that then euery such offendor shall pay to the King xiij.s.iiij.d. for euery egge so taken out of the neast of any Swan.

8 It is ordeyned that euery owner that hath any swans, shall pay euery yeare yearely for euery swan-mark iiij.d. to the master of the game for his fee, and his dinner and supper free on the Upping dayes. And if the said master of the game take of the foure pence, then he shall distraine the game of euery such owner that so doth fayle of payment.

9 If there be any person or persons that hath Swans that doe heiry vpon any of their seuerall waters, and after come to the common riuer, they shall pay a land-bird to the King, and be obedient to all Swan Lawes: for diuers such persons doe vse collusion to defraud the King of his right.

10 It is ordeyned that euery person, hauing any Swan, shall begin yearly to marke, vpon the first of August, and no person before; but after, as conueniently may be, so that the master of the Kings game, or his deputy, be present. And if any take vpon him or them to marke any Swan or Cignet, in any other maner, to forfeit to the Kings Maiesty for euery Swan so marked, xl.s.

11 It is ordeyned that no person or persons, being owners, or deputies, or seruants to them or other, shall goe on marking without the master of the game or his deputy be present, with other Swan-heards next adioyning, vpon paine to forfeit to the Kings Maiestie xl.s.

12 It is ordeyned that no person shall hunt any Ducke or any other chase in the water, or neere the haunt of Swans in Fence-time, with any Dog or Spaniels, viz. from the feast of Easter to Lammas, vpon paine for euery time so found in hunting, to forfeit fiue shillings eight pence.

13 It is ordeyned, that if any person doth set any snares, or any maner of nets lime or engines, to take Vittorns or Swans, from the feast of Easter to the Sunday after Lammas day, he or they to forfeit to the K. Maiestie for euery time so setting, vi.s. viij.d.

14 It is ordeyned, that no person take vp any Cignet vnmarked, or make any sale of them, but that the Kings Swan-heard, or his deputy be present, with other Swan-heards next adioyning, or haue knowledge of the same, vpon paine to forfeit to the Kings Maiesty xl.s.

15 It is ordeyned that the Swan-heards of the Duchy of Lancaster shall vp no Swan, or make any sale of them, without the Master of the Swans or his deputy be present, vpon paine to forfeit to the K. Maiesty xl.s.

16 And in like maner the Kings Swan-heard shal not enter into the Liberty of the Duchy, without the Duchy Swan-heard be there present, vpon the like paine to forfeit xl.s.

17 It is ordeyned, that if any Swans or Cignets be found double marked, they shall be seized to the Kings vse, till it be proued to whom the same Swans or Cignets doe belong. And if it cannot be proued to whom they doe belong, that then they be seized for the King, and his Grace to be answered to the value of them.

18 It is ordeyned, that no person make sale of any white Swans, nor make deliuery of them without the master of the game be present, or his deputy, with other Swan-heards next adioyning, vpon paine to forfeit xl.s. whereof vj.s.viij.d. to him that will informe, and the rest to the K. Maiesty.

19 It is ordeyned that no person shal lay Leapes, set any Nets or Drag, within the common streames or riuers vpon the day time, from ỳ feast of the Inuention of the Crosse to ỳ feast of Lammas, vpon pain so oft as they be found so offending, to forf. xx.s.

20 It is ordeyned, that if the master of the Swans or his deputy, do seize or take vp any Swans as strayes, for the K. Maiesty, that he shall keepe them in a pit within xx. foot of the Kings streame, or within xx. foot of the common high way, that the K. subiects may haue a sight of the said Swans so seized, vpon paine of xl.s.

21 It is ordeyned, that if any person do raze out counterfeit or alter the marke of any Swan, to the hindering or losse of any mans game, that euery such offendor duly proued before the K. Maiesties Comissioners of Swans, shal suffer one years imprisonment, and pay iij l vj.s. viij d. to the King.

22 It is ordeyned that the commons, that is to say, dinner and supper shall not exceed aboue xij.d. a man at the most. If there be any game found where the dinner or supper is holden, vpon that riuer, the owner being absent, and none there for him, the Master of the game is to lay out viij.d. for him, and he is to distraine the game of him that faileth the payment of it.

23 It is ordeyned that there shalbe no forfeiture of any white Swan or Cignet, but onely to the K. Grace, as well within the Franchise & Liberties as without: and if any do deliuer the Swan or Cignet so seized, to any person but only to the Master of the Kings Game, or to his deputy, to the K. vse, he is to forfeit vj.s viij.d. and the Swans to be restored to the master of the game.

24 It is ordeyned, that no person shall take any gray Swans or Cignets, or white Swans flying, but that he shall within foure dayes next after, deliuer it or them to the Master of the K. game, and the Taker to haue for his paines viij. d. and if hee faile, and bring him not, he forfeits xl.s. to the King.

25 It is ordeyned, that no person hauing any game of his own, shall be Swan-heard for himselfe, nor keeper of any other mans Swans, vpon paine to forfeit to the K. Maiesty xl. s.

26 It is ordeyned, that no Swan-heard, Fisher or Fowler, shall vere any other Swan-heard, Fisher or Fowler, by way of action, but only before the K. Maiesties Justices of Sessions of Swan-heards, vpon paine to forfeit xl.s. to the King.

27 The master of the Kings game shall not take away any vnmarked Swan coupled with any other mans Swan, for breaking of the brood: and when they doe heiry, the one part of the Cignets to the King, and the other to the owner of the marked Swan.

28 Also, any man whatsoeuer he be, that killeth any Swan with Dogge or Spaniels, shall forfeit to the King xl.s. the owner of the Dog to pay it, whether he be there or no. Also the Master of the Swans is to haue for euery white swan and gray vpping j.d. and for euery Cignet ij. d.

29 It is ordeyned, that if any Heiry be leyed with one swan, the swan and the Cignets shall be seized for the King, till due proofe be had whose they are, and whose was the swan that is away, Be it Cobbe or Pen.

30 Lastly, if there be any misdemeanour or offence committed or done by any owner of any game, Swan-heard or other person whatsoeuer, contrary to any Law, ancient custome or vsage heretofore vsed and allowed, & not before herein particularly mentioned or expressed, you shall present the same offence, that reformation may be had, and the offendors punished, according to the quantity and quality of the seuerall offences.

GOD SAVE THE KING.